

REMARKS

The applicant has amended the claims by deleting some of the non-elected embodiments from the claims. The Examiner requires the applicant to elect a single invention from one of the following groups:

Group I, claims 30-43, drawn to a compound of formula X-Y-L-W-Z, a coating of said compound, and a process to produce monomolecular layers of said compound;

Group II, claims 44-49, drawn to a formulation; or

Group III, claims 50-53, drawn to a composite.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). In the present case, although the claimed subject matter may be classified in different classes, the inventions are not independent.

Applicant elects Group I with traverse. The applicant further elects

X as X¹ and selected from the group -PO(OH)₂, -PO(OH)(OR²), -OPO(OH)₂, or -OPO(OH)(OR²),

L¹ as -CO-NR¹-, -NR¹-CO-, -O-CO-NR¹-, -NR¹-CO-O-, -NR¹-CO-NR¹-, or -NR¹-, and

Z as Z².

Applicant respectfully traverses the Restriction requirement because the U.S. Patent and Trademark Office has not carried forward its burden of proof to establish distinctness.

In particular, MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Therefore, the applicant respectfully requests that the restriction requirement be withdrawn.

However, if Group I is found allowable, the applicant respectfully requests that Groups II and III be rejoined since they require all the features of independent claim 30.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 12810-00099-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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